



INFORMATION BULLETIN: Greater Sage-Grouse as a Candidate Species in Wyoming 3/5/2010

What is a candidate species? Candidates are species for which the U.S. Fish and Wildlife Service (FWS) has sufficient information to propose them as endangered or threatened under the Endangered Species Act (ESA), but for which development of a proposed listing regulation is precluded by other higher priority listing activities.

Are all candidate species equal? No. Candidate species are assigned a listing priority from 1 to 12 based on the magnitude of threats they face, the immediacy of the threats, and their taxonomic status (e.g., full species are a higher priority than subspecies). The species' listing priority dictates the relative order in which proposed listing rules are prepared, with the species at greatest risk (listing priority 1 through 3) being proposed first. The sage-grouse has been assigned a listing priority of 8.

How long will sage-grouse remain a candidate species? The sage-grouse will remain a candidate species until it is either removed from candidate status because listing is no longer warranted (e.g., threats are effectively addressed) or when a proposed listing regulation is published.

Why is it important to continue to conserve sage-grouse? Candidates are reviewed annually to determine if they continue to warrant listing or to reassess their listing priority. For example, if threats are reduced and populations increase or stabilize, the listing priority could change to 11. Ideally, sufficient threats can be removed to eliminate the need for listing in which case sage-grouse would no longer be a candidate. If threats are not addressed or the status of the species declines, a candidate species can move up in priority for a listing proposal. If threats to greater sage-grouse are not addressed, the listing priority would likely jump from an 8 to a 2 due to how listing priorities numbers are determined (see above).

Does the ESA regulate candidate species? No. Candidate species receive no statutory protection under the ESA.

As a candidate species does the Wyoming Game and Fish Department continue to manage sage-grouse? Yes. The Wyoming Game and Fish Department (WGFD) and the Wyoming Game and Fish Commission will continue its' management authority over sage grouse to ensure their secure future in Wyoming including where and when hunting of sage-grouse is appropriate. They have shown their ability to regulate hunting effectively, including closing seasons where necessary.

Why is continuing to implement Wyoming's Sage Grouse Strategy so important? The fundamental threat to the sage-grouse is habitat fragmentation. The State's sage-grouse Strategy (Governor's Executive Order 2008-2; http://www.fws.gov/wyominges/WY_EO_2008-2.pdf) provides a framework to address this threat; and if the Strategy is adopted across different land ownerships in the state, will help ensure the conservation of greater sage-grouse in Wyoming. If implemented as envisioned, it will help to preclude listing in Wyoming or range-wide.

Why is the continued work of the sage-grouse local working groups so important? Local Working Groups (LWG) play a critical role in developing and facilitating the implementation of local conservation efforts and projects for the benefit of sage-grouse and their habitats. The local knowledge of the species and its habitats represented by the members of the LWG is essential part of a larger conservation strategy for the greater sage-grouse in Wyoming.

Do federal agencies treat candidate species differently? Federal agencies may request to “conference” (50 CFR 402.10) with the FWS on any proposed actions that may affect a candidate species to resolve potential future ESA conflicts should a species become listed at an early stage in the planning process. If the Federal agency and the Service agree, the conference can also be done in accordance with formal interagency consultation procedures under section 7 of the ESA (50 CFR 402.14). An opinion issued at the conclusion of a “formal conference” may address the section 7 interagency consultation requirement in the event the species is listed in the future, which can be a helpful assurance for landowners working with these agencies.

While not mandated by the ESA, Federal agencies may have their own regulations or policies that require them to give additional considerations to candidate species. Below we discuss what the greater sage-grouse candidate status in Wyoming means to select Federal agencies:

Bureau of Land Management (BLM): BLM policy for Candidate species is to promote their conservation and reduce the likelihood and need for such species to be listed pursuant to the ESA. While it is not required that BLM consult or confer with the FWS on Candidate species, the BLM may seek technical assistance from the FWS when it is determined to be advantageous to a species' conservation or BLM management options. The BLM intends to seek the FWS technical assistance and collaboration in Wyoming for actions under BLM jurisdiction that have the potential consequence of posing threats to sage-grouse. The BLM also anticipates conducting a Programmatic Biological Evaluation in coordination with both the FWS and the WGFD to further enhance conservation of the Greater sage-grouse.

Natural Resources Conservation Service (NRCS): NRCS assists landowners and agricultural producers who want to do conservation activities on a voluntary basis. As part of that assistance, NRCS conducts an Environmental Evaluation which considers federally listed, proposed and candidate species, to determine the likely environmental effects of various conservation alternatives. When a landowner proposes an action that may adversely affect a candidate species, NRCS may only recommend alternatives that will avoid adverse effects and to the extent practicable provide long term benefits to the species. Conferencing, that is informal discussion between NRCS and the FWS regarding the impact of a proposed action, is an option but not a requirement under the ESA or NRCS policy. When NRCS has a question about whether a proposed site-specific action may have an adverse affect, NRCS will first consult with the landowner prior to having a conference with WGFD or FWS. Only with concurrence of the landowner will NRCS informally conference with WGFD or FWS. As always, landowner specific Personally Identifiable Information (PII) will not be shared outside of NRCS without the written consent of the client.

United States Forest Service (USFS): In some Regions of the Forest Service, Federal candidate species are automatically placed on the Regional Forester's Sensitive Species list. The Greater Sage-grouse is currently listed as a Sensitive Species in both Regions 2 and 4, affecting all of the National Forests and National Grasslands in Wyoming. The USFS will evaluate impacts to Candidate species and their habitats in Biological Evaluations at the land and resource management plan level and at the project level. The agency will also continue to consider the Range-wide Greater Sage-grouse Conservation Strategy in management of habitats and coordinate with the FWS and WGFD to further the conservation of the species and its habitat on National Forests and National Grasslands.